

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
Civil Action No. 5:23-cv-00059**

<p><b>CROWN EQUIPMENT CORPORATION</b></p> <p style="text-align:center"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>DAVID BRADY, WILLIAM TUCKER, JOSEPH BOGGS, BRAWTUS HOLDINGS COMPANY, INC. (f/k/a Pneu-Mech Systems Manufacturing, Inc.), BRAWTUS, MANAGEMENT COMPANY, LLC, PNEU-MECH SYSTEMS MANUFACTURING, LLC (n/k/a Pneu-Mech Dissolution, LLC), PNEU-MECH SYSTEMS MANUFACTURING, INC., UNITED FINISHING SYSTEMS, LLC,</b></p> <p style="text-align:center"><b>Defendants.</b></p>	<p><b>DEFENDANT PNEU-MECH SYSTEMS MANUFACTURING, INC.</b></p> <p><b>MOTION TO DISMISS DEFENDANTS DAVID BRADY, WILLIAM TUCKER, BRAWTUS HOLDING COMPANY, LLC, AND BRAWTUS MANAGEMENT COMPANY, LLC'S CROSSCLAIMS AGAINST PNEU-MECH SYSTEMS MANUFACTURING, INC.</b></p>
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**NOW COMES** Defendant, Pneu-Mech Systems Manufacturing, Inc., (hereinafter “PMSMI”), and brings its Motion to Dismiss David Brady, William Tucker, Brawtus Holding Company, LLC, and Brawtus Management Company, LLC’s (hereafter “the Cross-claimants”) Crossclaim for indemnity on the grounds that Pursuant to the Federal Rules of Civil Procedure 12(b)(6), the Cross-claimants fail to state a claim upon which relief may be granted and, therefore, should be dismissed.

This motion is supported by the Memorandum of Law in Support of PMSMI’s Motion to Dismiss the Crossclaim.

THIS THE 8TH DAY OF MAY, 2024.

**HEDRICK GARDNER KINCHELOE &  
GAROFALO LLP**

/s/ Gerald A. Stein  
**GERALD A. STEIN**  
**NC State Bar No. 36408**  
/s/ Jarrod B. Summey  
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**Attorneys for Defendant Pneu-Mech  
Systems Manufacturing, Inc.**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 8, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of filing to all counsel of record via CM/ECF.

This the 8<sup>th</sup> day of May, 2024.

/s/ **Jarrod B. Summey**  
**JARROD B. SUMMEY**  
**NC State Bar No. 49548**